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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/117,799	08/06/1998	WOLFGANG FRAAS	P98.1428	4083

7590

04/22/2002

SCHIFF HARDIN & WAITE  
PATENT DEPARTMENT  
6600 SEARS TOWER  
CHICAGO, IL 60606-6473

EXAMINER

TSEGAYE, SABA

ART UNIT

PAPER NUMBER

2662

DATE MAILED: 04/22/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/117,799

Applicant(s)

FRAAS ET AL.

Examiner

Saba Tsegaye

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 22 January 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brueckheimer.

Brueckheimer et al. disclose, in Fig 2, a STM Backplane, an Egress frame memory, an Egress chain memory, an Egress chain processor and cell assembly (claimed means for converting TDM data into ATM cells). The STM bus is available on the backplane of the equipment. This is used as the interface between the equipment, which adapts external interfaces such as Analogue of ISDN lines and the equipment, which performs the intrinsic function such as switching (as in claim 2). See page 3, lines 21-32. Further, Brueckheimer et al. describe, on page 2, lines 7-17, the narrowband services within that virtual circuit having permanently assigned timeslots whereby to retain timeslot sequence integrity throughout the adaptation process (claimed a means for allocating a virtual ATM channel to each time-division multiples channel). Brueckheimer et al., on page 5, lines 9-15, describe that the cell disassembly process then checks for phase synchronism between egress and ingress function (as in claim 4). See page 5, line 25 - page 6, line 8.

Brueckheimer et al. does not expressly indicate an exchange termination and a line termination. However, the features of converting from TDM to ATM and vice versa are part of the invention disclosed by Brueckheimer et al., which is the same feature in the application. The application also includes a LT to interface to LAN and ISDN devices, which is well known that the STM interface to LANS and ISDN's. Furthermore, the ET is a switch device, which is connected to the ATM through an IWF to convert the protocol, is disclosed in Brueckheimer et al. in converting STM to ATM (page 3, lines 23-32). Therefore, it would have been obvious to

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one ordinary skill in the art at the time the invention was made to include LT and ET in order to connect more devices or equipments to the interface and to reduce complexity in the communication system.

### *Response to Arguments*

2. Applicant's arguments filed 1/22/02 have been fully considered but they are not persuasive. Applicant argues (remark, page 1) that the Bruecheimer reference does not teach a line termination (LT) connected to a user interface thru a conversion means and an exchange termination (ET) connected to a user interface through a conversion means. The Examiner respectfully disagrees with the Applicant assertion. The Bruecheimer reference clearly discloses, as stated in the previous rejection, the features of converting from TDM to ATM and vice versa. The application also includes a LT to interface to LAN and ISDN devices, which is well known that the STM interfaces to LANS and ISDN's. Furthermore, the ET is a switch device, which is connected to the ATM through an IWF to convert the protocol, which is disclosed in Brueckheimer reference in converting STM to ATM (page 3, lines 23-32). There is no a unique feature in LT or ET which has any thing different than what the reference teaches. If a novel function of ET and LT were added to the claim it would be considered as overcoming the reference.

Further, the Applicant argues that the Brueckheimer does not convey any incentive to realize a decentralized link between an exchange termination and a line termination, known in a

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digital transmission network as a v reference point, by way of an ATM network. However, it is noted that none of the claims comprises V reference point.

It is respectfully submitted that the pending claims as they currently stand read in the Brueckheimer reference.

In response to Applicant's argument (Remarks, page 3, lines 6-10, the Examiner response to argument section should the rejection be maintained), it is noted that the rejection was changed from 102(b) to 103(a).

### *Conclusion*

3. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Saba Tsegaye whose telephone number is (703) 308-4754. The examiner can normally be reached on Monday-Friday (7:30-5:00), First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on (703) 305-4744. The fax phone numbers for the organization where this application or proceeding is assigned is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

ST  
April 18, 2002



**HASSAN KIZOU**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2600**